

CL. SEP 10 PM 1:00  
REC'D  
CLERK

In re	)	CASE NO. 03-21652 ✓
	)	
GERALD & ONA LINDSEY	)	
	)	
Debtors	)	
_____	)	
	)	
FORD ELSAESSER, TRUSTEE,	)	Adversary Case No. <del>04-6098</del>
	)	
Plaintiff,	)	JOINDER BY DEFENDANT
	)	JULIE FOWLER IN MOTION
v.	)	BY NEVAK MINING LIMITED
	)	TO SET ASIDE ORDER APPROVING
MICHAEL IOANE, et al.,	)	COMPROMISE
	)	
Defendants.	)	

JOINDER BY DEFENDANT  
JULIE FOWLER IN MOTION  
BY NEVAK MINING LIMITED  
TO SET ASIDE ORDER APPROVING  
COMPROMISE

hereby joins in the September 6, 2004, motion by Nevak Mining Limited to set aside the Order Approving Compromise Settlement (docket number 100) on a limited basis.

Specifically, defendant Julie Fowler understands that the July 18, 2004, Order Approving Compromise Settlement (docket number 100) contains a provision prohibiting Nevak Mining Limited from employing various persons, including Julie Fowler. Defendant Julie Fowler was never consulted prior to the entry of said order and, in fact, believes that any order prohibiting her from taking employment with any entity conducting ongoing business operations is simply improper and constitutes interference with her prospective business advantage. Defendant Julie Fowler is of the understanding that Nevak Mining Limited is, in fact, conducting ongoing business activities in conjunction with its mining operations and that Nevak Mining Limited wishes to hire her services to perform tasks useful to Nevak Mining Limited.

The motion by Nevak to set aside the order in question is presently set for hearing on September 20, 2004. Counsel of record for defendant Fowler in this adversary proceeding may still be out of the State of Idaho on that date and, therefore, may be unavailable to appear at said hearing. Consequently, defendant Fowler is filing this pleading to inform the court of her position in the matter.

DATED this 11 day of September, 2004.

  
\_\_\_\_\_  
Danny J. Badakovich  
Attorney for Defendant Fowler

JOINDER BY DEFENDANT  
JULIE FOWLER IN MOTION  
BY NEVAK MINING LIMITED  
TO SET ASIDE ORDER APPROVING  
COMPROMISE

I hereby certify that a copy of the  
forgoing instrument was mailed,  
first-class, postage prepaid, to all  
persons on the attached list on this  
11 day of September, 2004.



Danny J. Radakovich

JOINDER BY DEFENDANT  
JULIE FOWLER IN MOTION  
BY NEVAK MINING LIMITED  
TO SET ASIDE ORDER APPROVING  
COMPROMISE

*Ford Elsaesser  
Chapter 7 Trustee  
P.O. Box 2220  
Sandpoint, ID 83864*

*Jennifer D. Auchterlonie  
Trial Attorney, Tax Div.  
US Dept. Of Justice  
PO Box 683,  
Ben Franklin Station  
Washington, D.C. 20044-0683*

*Brit D. Groom  
Attorney at Law  
P.O. Box 218  
Grangeville, ID 83530*

*Dru Guthrie  
Attorney at Law  
PO Box 50616  
Idaho Falls, ID 83405*

*Warren Derbidge  
US Attorney's Office  
877 W. Main Street, Suite 201  
Boise, ID 83702*

*Michael Ioane  
801 Woodside Road  
Suite 14-404  
Redwood City, CA 94061*

*U.S. Trustee  
304 N 8th Street, Room 347  
Boise, ID 83701*

*Glen Halliday  
c/o 802 Woodside Road, St. 14-404  
Redwood City, CA 94061*

*Edwin L. Litteneker  
Attorney at Law  
PO Box 321  
Lewiston, ID 83501*

*Sheila R. Schwager  
Hawley Troxell  
P.O. Box 1617  
Boise, ID 83701-1617*

*Mud Creek Mining, Inc.  
Registered Agent Julie Fowler  
HCO1 Box 109B  
Whitebird, ID 83555*

*Cornerstone Ranch, LLC  
c/o Noel Tanner  
PO Box 1430  
Round Mountain, NV 89045*

*Barry Mchugh, Burce A. Anderson  
& Taeya Howell  
Attorneys at Law  
1400 Northwood Center Court, Ste. C  
Coeur d'Alene, ID 83814*

*Candle Mining Company, Inc.  
Registered Agent Barry Donnellan  
PO Box 73795  
Fairbanks, AK 99707*

*Vern Brown  
768 N. Court Avenue  
Burns, OR 97720*

*James Spickelmire  
724 S.C.  
Grangeville, ID 83530*

*Steven B. McCrea  
Attorney at Law  
PO Box 1504  
Coeur d'Alene, ID 83816*